

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

LILIANA AVILA-CAPIZ,

Defendant.

NO: CR-10-2074-RMP

ORDER DISMISSING WITHOUT
PREJUDICE

BEFORE the Court is Defendant's Motion to Dismiss Case (Ct. Rec. 37), Plaintiff's Motion to Dismiss Indictment without Prejudice and Pursuant to Rule 48(a) (Ct. Rec. 44), and Plaintiff's Motion to Expedite (Ct. Rec. 45).

The Court has reviewed the motions and file and is fully apprised in the matter. Accordingly,

IT IS HEREBY ORDERED:

1. Plaintiff's Motion to Expedite (**Ct. Rec. 45**) is **GRANTED**.
2. Plaintiff's Motion Dismissing Indictment without Prejudice and Pursuant to Rule 48(a) (**Ct. Rec. 44**) is **GRANTED**.

4. The Indictment, filed July 14, 2010 (**Ct. Rec. 14**) is **DISMISSED WITHOUT PREJUDICE**.

3. Defendant's Motion to Dismiss (**Ct. Rec. 37**) is **DENIED AS MOOT**.

4. All other pending motions are **DENIED AS MOOT**.

5. All future court dates are hereby **STRICKEN**.

The District Court Executive is directed to enter this order and provide copies to counsel and probation and CLOSE this file.

DATED this 8th day of September, 2010.

s/ Rosanna Malouf Peterson
 ROSANNA MALOUF PETERSON
 United States District Court Judge